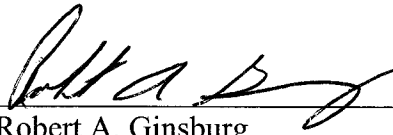


MEMORANDUM

Agenda Item No. 6(C)

TO:	Hon. Chairperson Barbara Carey-Shuler, Ed.D. and Members, Board of County Commissioners	(Second Reading 3-16-04) DATE January 20, 2004
FROM:	Robert A. Ginsburg County Attorney	SUBJECT: Ordinance relating to prohibition against simultaneous service on more than one County Board

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Sally A. Heyman.


Robert A. Ginsburg
County Attorney

RAG/jls



MEMORANDUM

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D. and Members, Board of County Commissioners **DATE:** March 16, 2004

FROM: George M. Burgess
County Manager

A handwritten signature in black ink, appearing to read "G. Burgess", is written over the printed name of George M. Burgess.

SUBJECT: Ordinance relating to prohibition against simultaneous service on more than one County Board

The proposed ordinance relating to the prohibition against simultaneous service on more than one County Board will have no fiscal impact on Miami-Dade County.



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: March 16, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 6(C)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor

Agenda Item No. 6(C)

Veto _____

3-16-04

Override _____

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 2-11.38 OF THE CODE OF MIAMI-DADE COUNTY REGARDING MEMBERSHIP ON COUNTY BOARDS; PROVIDING EXCEPTION TO PROHIBITION AGAINST SIMULTANEOUS SERVICE ON MORE THAN ONE (1) COUNTY BOARD; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

WHEREAS, Section 2-11.38 prohibits any person from serving on more than one county board at a time; and

WHEREAS, it would benefit the public, from time to time, to have persons with particular knowledge or experience serve on two County boards at the same time, so that their experience, insight and expertise can be shared between the boards,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA:

Section 1. Section 2-11.38 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 2-11.38. Membership on Boards.

* * *

No member of any County board shall become a candidate for elective political office during his or her term. Should any member of a County Board qualify as a candidate for elective political office, such qualification shall be deemed a tender of resignation ~~[[form]]~~ >>from<< such board. No person shall serve on more than one (1) County board simultaneously~~[[;-]]~~ >>, provided, however, a member of a

¹ Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or >>double << constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

county board is not prohibited by this paragraph from simultaneously serving on another county board, if the County Commission has established that service on a particular board is a prerequisite or requirement for service on another county board.<<

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and, if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

RA6

Prepared by:

CJB

Cynthia Johnson-Stacks

Sponsored by Commissioner Sally A. Heyman

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